

FILED

DEC 11 2007

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *W* DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
						UNITED STATES OF AMERICA,)																				
)																				
						Plaintiff,)																				
)																				
						v.)																				
)																				
						ROBERTO CARLOS)																				
						HERNANDEZ-MONTALVO,)																				
)																				
						Defendant.)																				
)																				

Criminal Case No. 07CR2933 **H**

I N F O R M A T I O N
(Superseding)

Title 8, U.S.C., Sec. 1325 -
Illegal Entry (Misdemeanor);
Title 8, U.S.C., Sec. 1325 -
Illegal Entry (Felony)

The United States Attorney charges:

Count 1

On or about 9/24/07, within the Southern

District of California, defendant ROBERTO CARLOS HERNANDEZ-MONTALVO, being an alien, unlawfully entered or attempted to enter the United States at a time and place other than as designated by immigration officers, and eluded examination and inspection by immigration officers, and attempted to enter or obtained entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact; in violation of Title 8, United States Code, Section 1325, a misdemeanor.

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CJB:kmm:San Diego
11/19/2007

Count 2

On or about October 1, 2007, within the Southern District of California, defendant ROBERTO CARLOS HERNANDEZ-MONTALVO, being an alien, unlawfully entered or attempted to enter the United States at a time and place other than as designated by immigration officers, and eluded examination and inspection by immigration officers, and attempted to enter or obtained entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact and previously committed the offense of illegal entry, as alleged in Count 1; all in violation of Title 8, United States Code, Section 1325, a felony.

DATED: 12/11/07

KAREN P. HEWITT
United States Attorney


for CARLA J. BRESSLER
Assistant U.S. Attorney